

08-08-00

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**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
J-135CIP

Total Pages in this Submission

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for  
invention entitled:**CONSTITUENT DELIVERY SYSTEM**

and invented by:

**Jimmie L. JOHNSON**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/979,028

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/641,430

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

**Application Elements**

1. ☐ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 13 (thirteen) pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☐ Abstract of the Disclosure

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☐ Formal      b. ☒ Informal      Number of Sheets 1 (one)
4. ☒ Oath or Declaration  
a. ☐ Newly executed *(original or copy)*      ☒ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☐ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☐ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EL696074397US

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
J-135CIP

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1 (one)
17. ☒ Additional Enclosures (please identify below):

Inventor Information Sheet (Patent Biological Data)  
Copy of Petition for Extension of Time filed in Parent Application

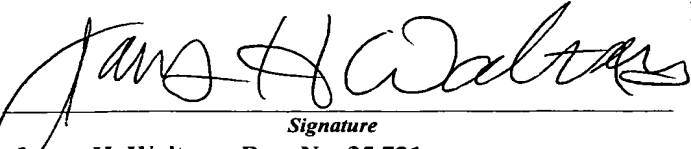
## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	22	- 20 =	0	x \$9.00	\$18 <del>\$0.00</del>
Indep. Claims	2	- 3 =	0	x \$39.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					<del>\$345.00</del> 363
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$345.00 363

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
  - ☐ Credit any overpayment.
  - ☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: August 7, 2000

  
Signature  
James H. Walters, Reg. No. 35,731  
DELLETT AND WALTERS  
310 S.W. Fourth Avenue, Suit 1101  
Portland, Oregon 97204  
(503) 224-0115

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Jimmie L. JOHNSON**

Docket No.

**J-135CIP**

Serial No.

Filing Date

Examiner

Group Art Unit

Invention:

**CONSTITUENT DELIVERY SYSTEM**

JC490 U.S. PRO

09/633688



08/07/00

I hereby certify that the following correspondence:

**New Patent Application Transmittal (& the documents listed as enclosed thereon.***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**August 7, 2000***(Date)***James H. Walters***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL696074397US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**~~COMBINED TRANSMITTAL OF APPEAL BRIEF TO THE BOARD OF PATENT~~  
APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME  
UNDER 37 C.F.R. 1.136(a) (Small Entity)**

**Docket No.**  
**J-135FWC**

In Re Application Of: **Jimmie L. JOHNSON**

Serial No.  
08/979,028

**Filing Date**  
**November 26, 1997**

**Examiner**  
**D. Cho**

**Group Art Unit**  
**3726**

**Invention:**

## CONSTITUENT DELIVERY SYSTEM

**COPY**

JC490 U. S. PTO

08/07/00

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a ~~combined Transmittal of Appeal Brief to the Board of Patent Appeals and Interferences and~~ petition under the provisions of 37 CFR 1.136(a) to extend the period for filing an Appeal Brief.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☒ Five months

from: **March 6, 2000**

Date \_\_\_\_\_

until: **Monday, August 7, 2000**

Date \_\_\_\_\_

The fee for the Appeal Brief and Extension of Time has been calculated as shown below:

~~Fee for Appeal Brief: \$150.00~~

**Fee for Extension of Time:** \$925.00

**TOTAL FEE FOR APPEAL BRIEF AND EXTENSION OF TIME:**

~~\$1,075.00~~

\$925.00

The fee for the Appeal Brief and extension of time is to be paid as follows:

☒ A check in the amount of **\$925.00** for the ~~Appeal Brief and~~ extension of time is enclosed.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

☐ Any additional filing fees required under 37 C.F.R. 1.16.

☐ Any patent application processing fees under 37 CFR 1.17.

☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. \_\_\_\_\_ A duplicate copy of this sheet is enclosed.

~~COMBINED TRANSMITTAL OF APPEAL BRIEF TO THE BOARD OF PATENT~~  
~~APPEALS AND INTERFERENCES~~ PETITION FOR EXTENSION OF TIME  
UNDER 37 C.F.R. 1.136(a) (Small Entity)

Docket No.  
J-135FWC

In Re Application Of: Jimmie L. JOHNSON

Serial No.  
08/979,028

Filing Date  
November 26, 1997

Examiner  
D. Cho

Group Art Unit  
3726

Invention:

CONSTITUENT DELIVERY SYSTEM

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This ~~combined Transmittal of Appeal Brief to the Board of Patent Appeals and Interferences~~ and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

Dated: August 7, 2000

James H. Walters, Reg. No. 35,731  
DELLETT AND WALTERS  
310 S.W. Fourth Avenue, Suite 1101  
Portland, Oregon 97204  
(503) 224-0115

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

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(Date)

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\*This certificate may only be used if paying by deposit account.

**Certificate of Mailing**

I certify that this document and fee is being deposited on August 7, 2000 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

James H. Walters

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Correspondence

CC:

**DELLETT AND WALTERS**  
PATENT AND TRADEMARK LAW  
310 SW 4TH AVE., STE. 1101 PH. 503-224-0115  
PORTLAND, OR 97204

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Commissioner of Patents and Trademarks

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Aug 7/2000 \$925.00

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TO THE  
ORDER  
OF

J-135FWC 08/979,028 EXT. FEE



⑈001832⑈ ⑆123000068⑆ 0032063596⑈

In re Application of: Jimmie L. JOHNSON  
Serial Number: 08/979,028  
Filing Date: November 26, 1997  
Title: CONSTITUENT DELIVERY SYSTEM

Docket Number: J-135FWC

Receipt is hereby acknowledged in the United States Patent and Trademark  
Office of the following: Petition for extension of time under 37 CFR 1.136(a),  
check for \$925.00 (five month extension fee), certificate of mailing, and this  
return postcard as of the date stamped hereon.

Security features included. Details on back.